

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of)
GMW Fire Protection, Inc., an Alaska)
Corporation,)

Plaintiff,)

vs.)

KANAG'IQ CONSTRUCTION CO.,)
INC., an Alaska Corporation, and)
WESTERN SURETY COMPANY, a)
South Dakota Corporation,)

Defendants.)

Case No. A05-170 CI (TMB)

**MOTION AND MEMORANDUM FOR LEAVE TO SUPPLEMENT RESPONSE
TO REQUEST FOR ISSUANCE OF WRIT OF EXECUTION**

Defendants, KANAG'IQ CONSTRUCTION CO., INC. and WESTERN SURETY COMPANY, through their counsel, Eide & Gingras, P.C., request that this Court allow them to supplement their response to the Request for Issuance of Writ of Execution submitted by Plaintiff.

The undersigned was out of state when the Court's order of August 6, 2008, was issued. The undersigned did not realize until his return to the office yesterday, that the Court had ordered that the clerk issue a new and corrected judgment.

Defendants believe that it is important for the Court to consider the propriety of issuing a Writ of Execution based upon what is now an erroneous judgment. Further, the

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1 Court should consider, in the interests of justice, the propriety of issuing a Writ of
2 Execution when, once the new judgment is issued, an automatic ten-day stay will be in
3 effect.

4 For those reasons, Defendants request that their proposed supplemental response, a
5 copy of which is attached hereto, be allowed.

6 DATED at Anchorage, Alaska this 13th day of August, 2008.

7
8 EIDE & GINGRAS, P.C.
9 Attorneys for Defendants
10 Kanag'Iq Construction Co., Inc. and
Western Surety Company

11 By: s/Thomas S. Gingras
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17 **CERTIFICATE OF SERVICE**

18 I am a legal secretary employed by the law
firm of Eide & Gingras, P.C. That on this
13th day of August, 2008, I served

19 [x] Electronically

20 a true and accurate copy of the foregoing
document upon the following counsel of record:

21 Sarah J. Tugman, Esq.
2509 Eide Street, Suite 4
Anchorage, AK 99503

22 EIDE & GINGRAS, P.C.

23 By: /s/Donna Charter

24 F:\431\05\Post-Trial Documents\Mtn and Memo to Supp Rsp to Writ.DOC

25 Motion and Memorandum for Leave to Supplement Response to
Request for Issuance of Writ of Judgment
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